

# Quid Novi



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## Summer of the barricades

by Michael Wilhelmson  
L.L.B. III

The odd thing about disintegration is that it is almost impossible to distinguish from liberation.

The liberation and secessionist movements that are springing up from behind every distinction in the human specis seem to represent both genuine struggles for freedom from external oppression, and also a narrow and short-sighted refusal to live and work together with other cultures.

Playing the game of deciding which

interpretation applies could have occupied your whole summer, whether you were observing the last gasps of Meech Lake, the Soviet Union and Eastern Europe or the continued crisis at Oka and Kahnawake.

In Québec, the constitutional committee to study Québec's constitutional future is now a reality, but we still have to ask ourselves whether the premise supporting its creation is justified: Was the province rejected by the rest of Canada, left with no choice but to pursue its own destiny?

The rejection theory is plausible. Québec's demands as set out in the

Meech Lake Accord were modest. The much feared distinct society clause would probably have amounted to little more than a slight modification in the interpretation of section 1 of the Charter, and although eight provinces and the federal government ratified the Accord, the polls consistently showed that most citizens in the other provinces were staunchly opposed to it.

But perhaps the premise is irrelevant given the larger reality. After all, Québec is no Lithuania. It is a prosperous province where a political and economic awakening of a few decades ago was freely unleashed without external repression. Québec is in fact sovereign  
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### Dean Morissette's Welcoming Speech: August 31, 1990

Twenty years ago, almost to a day, in another room, at a different institution, I sat as you do this morning, and listened to an opening speech given by another law dean. My memory of what this dean said is sketchy - after all, speeches such as this are not meant to be so memorable...

So let me raise again, as I did with some of your predecessors, three simple questions: I. Who are we as a faculty? II. Who are you as a class? III. What should you expect from the study of law? Or, to put it slightly differently, what will we be doing together in the next four years?

#### I. Who are we as a faculty

We are the oldest university-affiliated law school in Canada, having been founded in 1853 - which was actually some ten years after formal lectures on law were first offered at McGill.

Right from the start, this faculty had an eclectic curriculum, or, as we would say today, a natural inclination towards polyjurality. The positive law, the law as it is perceived by the local legal profession and the courts, was always  
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# Announcements

## McGill Law Journal/La Revue de Droit de McGill

Les demandes d'adhésion à la Revue de droit de McGill sont disponibles dès le 4 septembre 1990. Please note that all applications (including the evaluation and short assignment that must be completed) are due October 12. Interviews will take place on October 15-16. Information sheets and applications are available at SAO or the new Law Journal office in the basement at 3661 Peel.

### Notices, Signs, Posters

Please note that the bulletin boards in the basement have been relabelled. Every recognized group has its own board on which they can post information. Please confine yourselves to your assigned boards. The boards on the stairwells are still up for grabs on a first come, first served basis. Thanks for your cooperation. -LSA and SAO.

**Attention all groups, clubs:** Keep your eyes and ears open for the time of a meeting where the Clubs Room and budgets will be discussed. A note will be posted outside the LSA with details. -Bram Freedman.

**Thanks-** On behalf of the student body, the LSA would like to express its sincere gratitude to the following people who helped make the summer renovations possible: Mrs. Goldin; Ross Fraser of Fraser Contract Inc.; Robert Julien of Chateau Paints; Eric Patella of Patella Inc.; Mrs. Lederer of SAO; and Marie-Hélène DiLauro from the Dean's Office. As well, we would like to thank Stephanie Gilcher, Scott Henderson and Katherine Petcher for giving up a Saturday in the middle of the summer to help paint the new Smokers' Lounge and the Clubs Room. We couldn't have done it without you! -Bram Freedman.

**No Smoking!** There is no smoking in the

TV Room anymore. Smokers are asked to confine themselves to the remodelled Smokers Study Lounge which is now the Smokers Lounge period. -LSA.

**Res Ipsa Loquitur-** 1990 edition available - only to those who ordered one last year! Pick them up Monday or Wednesday, Noon-2 PM in the LSA office, or see me (Michael Kleinman), your trusty new editor! Watch this space for details re: extra copies of the 1990 edition (but don't get your hopes up) and for ways to get involved with the 1991 production.

**Clubs, Groups and anyone else who wants cash -** Please note that the deadline for submitting your budgets is 14 September 1990 at Noon.

**Position Available: Speaker of the Council/President d'Assemblée -** Want to become involved in student government? The LSA/AED is seeking applicants for the position of Speaker of the Council. Il s'agit d'une position bilingue. Le président doit assumer la présidence des réunions de l'assemblée législative et de l'assemblée générale. Anyone interested should drop a note into the box of the V.P. Administration in the LSA office by September 10, indicating their name and what they feel they can bring to the position. Vous devez vous présenter à la première réunion de l'assemblée le 12 septembre lors de laquelle on procèdera à un vote secret pour choisir le nouveau président d'assemblée. Apply early and apply often!!

**Annie McDonald Langstaff Workshops:** Anybody interested in helping organize the Annie McDonald Langstaff Workshops for 1990-1991 is welcome to attend a meeting Wednesday September 12 at 12 PM. Check the blackboard for a room number.

**McGill Legal Information Clinic**

(formerly the McGill Legal Aid Clinic) is seeking volunteers able to donate 2 hours a week for the fall term! Application forms available at SAO and an info meeting will be held September 10 at 2 PM in the Common Room. Vous êtes tous bienvenue!

A ski jacket was found in the McGill Legal Information Clinic. Call Anne-Marie Migneault, BCL III, at 933-4971 for details.

**Forum National -** 1st meeting, Wednesday, September 12 at non. Room TBA.

**Legal Theory Workshop -** September 14 at Noon, Room 202, CDH: Jean-Paul Négrin (Aix-Marseille) - L'Etat de droit en France.

## QUID DEADLINE!!

La date de tombée pour les soumissions au Quid Novi durant toute cette année sera le lundi de chaque semaine à midi, pour être publié la semaine suivante.

The deadline for submissions to the Quid Novi will be Mondays at Noon, for publication the following week.

## DACTYLO!!

Le Quid se cherche une dactylo pour l'année qui vient. Disponibilité: au moins 3 heures le lundi après midi. Le salaire est de \$8,00/heure.

The Quid is looking for a tyist! Availability: At least 3 hours on Monday afternoons, Salary is \$8,00/hour.

Leave your name in the Quid box in the LSA/AED office.



# Fiction Feature: «East End Dame»

By Frank Tamburro  
B.C.L. IV

(With apologies to Raymond Chandler, Dashiell Hammett, Humphrey Bogart and the Montréal Expos).

My head was pounding. Jackhammers behind each eye. Probably too much bourbon the night before. It didn't matter. I had a job to do. I swallowed a couple of aspirins as I walked down the stairs of the Student Union Building. I spotted the door of B-20, with the brochures standing outside. The Legal Information Clinic. You've probably figured out what I am by now. But let me introduce myself.

My name is Dan Wade. I'm a McGill Law Student.

I walked into the office. I was a couple of minutes early, so the other 2 volunteers for this shift weren't in yet. That was okay. I didn't mind a little time alone. Solitude was my pillow.

I stripped off my trenchcoat, hung up my fedora and wiped the sweat off my forehead. It was 85 degrees outside - but no sense taking chances. I sat down, leaned back and put my feet up on the desk. I took a quick swallow of the java. It was hot! Good. I'm the kind of Joe who knows there's only one way to drink coffee: with 2 milks and a packet of artificial sweetener. I preferred Sugar Twin, but I would settle for Sweet 'N Low.

It looked like it might be a routine day. Bustle outside the clinic was no more than usual. The phones were mostly dead. I put a cigarette in my mouth, found some matches in a pocket. Then I remembered - no smoking in this part of the University Centre. Just as well.

Suddenly there was this dame at the door! But she was no ordinary dame. She had legs; legs that went all the way up to her hips! She was dressed all in black. She had gorgeous blonde hair falling just below her shoulders. Her bumps were in all the right places! An Expos' cap was sitting on her head. You could have knocked me over with a feather. I said a silent prayer of thanks that of all the legal clinics in all the towns in all the world, she walked into mine.

I straightened up. The goddess spoke. «Please, m'sieu, can you help me?» she said with a French accent.

«Sure, dollface,» I answered in French, «take a load off.» She sat down. I wiped the drool off my chin.

«Oh, thank you very much, but please, for my own reasons, I would like to conduct our business in English.»

«It's your nickel, sweetheart.» This was my kind of dame. She didn't seem to give a hoot about language. Too many people get all worked up over who has a French mother tongue, who has an English mother tongue, and so on. If it was up to me, everyone would just enjoy each other's tongues.

«I need some legal advice...»

I interrupted her. «Sorry sister, but I'm not a professional shyster yet. I can only give you information and suggestions.»

«Okay, but maybe you can help me anyway. My name is Cécile Gouin. I live on St-Michel street. Last month, I threw out my common-law husband Jacques Palmaire. We had lived together for 3 years. I loved him, but I kicked him out when I found out about his other women. Still...» Her voice trailed off wistfully.

While she talked, I gave her the once-over. Twice over. Over and over. She was a real looker! The kind you'd ask to sit in your lap while you were still standing up.

«I just found out yesterday that he has taken \$100 000 of my money. It was from my Select 42 jackpot. I have his address. I want you to sue him for me.»

While she told her story, her purse had come open. She didn't notice, but I sneaked a peak. There was a big wad of moolah. I looked back at this dazzling doll on the other side of the desk. I was packing a wad too, but it wasn't money.

«Why don't you just sic the heat on him?» I asked.

«No, no police! I love Jacques so badly. I don't want him to go to jail. I just want my money back to care for mes enfants! Can you help me?»

«I'm not a lawyer», I replied. «I can't represent you. You'll have to find a real lawyer to take the case.»

«Oh, but m'sieu», she pleaded, grabbing my hand across the desk. «I cannot afford a lawyer, and legal aid says they will not take this kind of case. I have nowhere else to go. You must help me!» She looked at me with lots of meaning in her eyes. «I would be very grateful.»

Her skirt had slid up a couple of inches, giving me a better view of those gams. She was pulling out the heavy artillery. I didn't mind being the target! I leaned in close to her kisser. «Tell me something, sister», I whispered. «What part of Etobicoke were you born in?»

The message was gone from her eyes. Absolute hate and contempt came into them. She stood up in a blinding rage and

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## East End Dame...

### Cont'd from p.3

squawked loud enough for the campus to hear, «I've never been to Etobicoke in my life!!!» The French accent was history!

Instantly, she knew the game was up. She sank back into her chair. The rage flowed from her body like rinse down a dentist's spit-sink!

I chuckled. «All you nearly gotta do is mention Etobicoke to get a rise out of a Rosedale snob. Right, doll?» I stubbed out the cigarette I hadn't lit.

She was confused, exasperated. Finally she spoke, «How did you figure me out?» The cultivated snoot of Toronto society came through loud and clear, like thumbtacks through cellophane.

«Common-law husband!» I sneered. «Listen, sweetheart, every 2-bit hood in Hampstead knows there's no such thing in Québec. The closest we got is de facto union, what polite people call shacking up. Obviously, you're an Osgoode Hall graduate who's a little too clever and who's a little too sure of a body that just won't quit.»

«You're good, Wade», she said quietly.

«That's what I'm paid for, angel». I got up and walked around as I explained. «Besides, that name of yours - Cécile Gouin - awfully close to Cecilia Gwynn, great-granddaughter maybe of Cecil Gwynn, founder and first president of the Rosedale Extra-Snooty Golf and Croquet Club. Jacques Palmaire could easily be James Palmer. All that dough in your purse. As for the lottery - saying Select 42 may have been smart, but I don't run into nobody who plays that instead of 6/49. But you still might have pulled the wool over my eyes, except for one thing.»

«What was it?» she asked.

«That Expos' cap», I pointed to her head. «Nobody over the age of 6 wears those dorky things in this town.» She looked at

her feet in embarrassment. «Okay, spill the rest of the real story, dollface»

«You've figured out most of it», she said. The snoot was real pronounced. «Palmer is 4 months late with his membership dues to the club. I am the club's solicitor and I was sent to secure the services of a barrister to launch an action here, where he lives. I thought I might save the club some money by arranging for a less expensive representative if I used the proper...inducements.»

«And that's where I came in», I added. «You thought a desperate, glittering femme could get me to be her mouthpiece.»

«Yes. You know», she cooed, as the meaning came back into her face, «I could still engage your services. If you're...interested...we could come to some sort of...arrangement. Hmmm?» Her smile was unmistakeable. Her legs were irresistible. It was almost unavoidable! This was becoming a Robert Palmer song.

«Sorry, sweetheart, I can't and I won't. The Bar Act is very clear. I don't know how many others came before me, but I won't play the sap for you.» I paused. I spat on the floor. Then the contempt crept into my voice. «Why don't you try Ogilvy Renault? They're made for people like you!»

The hatred returned to her eyes. My eyes returned to the front of her dress. This time, she grabbed her bag, got up and left without a word. I watched her walk out. Maybe she thought I didn't know what I was missing. But I knew. Tonight, I'd be running out of bourbon...and in to cold showers.





### Cont'd from p.1

within its heads of power and has used that power effectively, even boldly, within a federalist state. The idea that Québec benefits from disengaging itself from North America, like India from Antarctica a couple billion years ago, to go floating off towards its destiny isn't a satisfactory solution to its legitimate demands.

What remains interesting is how the federalist impulse remains strong, even when those espousing it think they are radical sovereignists. The best example of this is the idea of the «superstructure», or the new political order, which Premier Bourassa and the Young Liberals say should emerge between Canada and Québec.

Commentators like Gazette columnist Don Macpherson correctly point out that this is little more than another way of advocating a federal state, where sovereignty is split between constituent units and a central authority. This is the American way, it has been our way and it may become the European way.

If Québec doesn't qualify as a society needing independence to gain its freedom and equality, the the solution to the Meech Lake fiasco is not separation, but pushing ahead for a new deal and new poser, or perhaps making better use of the powers Québec already has. Overall, simply engaging in the give and take of federalism.

An equally tough case is that of the blockades at Oka and Kahnawake.

I don't think there is any doubt that Canada's aboriginal peoples got a raw deal from the white newcomers and remain economically disenfranchised.

But all the loose talk about «apartheid» and «genocide» is clumsy, if only because the aboriginal people enjoy equality before the law. The real issue is how to make that equality meaningful when equality now involves buying into

## What do Iraq, Oka, Perestroika, Europe '92 and international terrorism have in common?

In one way or another, the INTERNATIONAL LAW SOCIETY discusses all of these events. We also discuss other current international issues, and most importantly, bring in speakers to express their point of view on the broadest range international issues and events.

L'année dernière, la SOCIÉTÉ DE DROIT INTERNATIONAL a organisé plusieurs conférences dont une portant sur l'unification de l'Europe en 1992, donnée par M. Jacques Lecomte, Ambassadeur de la Communauté Européenne au Canada. Nous avons également invité le professeur Luigi Condorelli de l'Université de Genève, qui a donné une conférence portant sur la responsabilité de l'Etat en matière de terrorisme international.

This year we hope to organize many

more activities and social events.

La SOCIÉTÉ a toutefois besoin de votre soutien!!! So watch for our posters to find out when our events are and ATTEND THEM!!! Si vous voulez participer à l'organisation des activités de la SOCIÉTÉ, ou si vous avez des sujets de conférence à suggérer, laissez-nous un message au SAO ou parlez-nous en.

Les membres du conseil exécutif pour l'année 1990-91 sont:

Frédéric Beauvais	BCL III
Eric Buzzetti	BCL III
David Chemla	BCL III
Brian Gelland	BCL III
Neil Stoopler	BCL II
Christian Van Der Stichele	BCL III
Elena Weissbach	BCL II

À bientôt!

a Western culture and institutions the aboriginal peoples, like the Mohawks, reject at least selectively.

But on the other hand, this is not 1534 and the world has changed for good. Demands for sovereignty and separation are no solution. One cannot escape through rethoric the need for some kind of relationship between cultures.

Aboriginal people need to regain decision-making power over their lives, while continuing to coexist and interact politically with and within the Western society around them.

As for all the machismo and gun pointing, all I can say is that it only serves to bring out the Rambos on both sides of the barricades that I would just as soon send off to kill each other in private.

One can easily be persuaded by the centrifugal forces around the world that the only safe course of action in life is to make sure you are always in the majority. So it is in the Soviet Union where the decline of the Empire does not seem to be leading to a democratic federation of states, but to the creation of innumerable petty fiefdoms ruled by their respective elites.

But perhaps this is too pessimistic. Most people see the collapse of an Empire as a positive democratic movement and the decline of the centre as a liberation from the bureaucrats.

I must say that I am not persuaded that separation ever has anything to do with democracy.



## Competitive Mooting at McGill

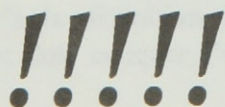
by Andrew Lister, Sean Gaudet and Pierre Larouche

Do you win arguments with all your friends? Do they cede trivial points of inconsequential importance to you out of sheer respect for your force of argument and logic (and/or a sincere desire that you shut-up and go away?). If you have answered «Yes my Lord/Lady» to either of the above questions then you should consider trying out for one of the mooting teams.

McGill regularly sends teams to the Jessup, Rousseau, Gale and Laskin Moot Court competitions. Keep your eyes on the notice boards for information and sign-up sheets for the run-offs for the spots on the teams. Pierre Larouche (office #52 OCDH) will also have information and will answer enquiries concerning Moots.

Les quatre Tribunaux-Ecoles touchent à des domaines de droit variés: le Jessup et le Rousseau traitent de droit international public, le Gale et le Laskin s'occupent de droit administratif et constitutionnel. Soyez attentifs aux affiches pour plus de renseignements concernant les dates de sélection ou contactez Pierre Larouche (Bureau #52 OCDH).

Les résultats des quatre équipes de McGill l'année dernière [NDLR: en particulier le Rousseau, tient à préciser le rédacteur-en-chef] prouvent que cette Faculté est capable de gagner aux niveaux national et international. Nous espérons que cette tradition continuera cette année.



## L.S.R. / A.F.C.S.

LAWYERS FOR SOCIAL RESPONSIBILITY (LSR) is a national organization of lawyers and law students interested in a number of important issues, ranging from demilitarization, energy policies and the protection of the environment to human rights in general. There are LSR chapters in several Canadian cities and universities, including McGill. The purpose of this letter is to make you aware of our group and to encourage you to take part in our activities.

To give you an idea of the kind of events you could help organize or simply attend, here is a brief description of our activities last year. In the wake of the Tiananmen Square massacre, we held a round table on human rights in China and participants included a journalist in China at that time, the former president of the French section of Amnesty International (Section Québec) as well as Irwin Cotler, professor at the faculty and well-known for his involvement on behalf of human rights. Wade MacLaughlin, professor of law at Dalhousie, gave a presentation on the militarization of the world oceans and more particularly the presence of nuclear-powered military vessels and nuclear weapons in Canadian harbours. Rachad Antonius, from the Centre d'Etudes Arables pour le Développement (Montréal), discussed the Middle East peace process from a Palestinian perspective. Martin Kreigler and Andy

Orkin spoke about the future of South Africa after the release of Nelson Mandela. An Urgent Action Network was set up whose purpose was to encourage people to write letters to Central American governments (El Salvador, Honduras and Guatemala), to get the release of political prisoners, and to the Canadian government, in order to ask it to exert pressure on these governments. Finally, we organized one Coffee House for the benefit of the Labrador Inuit to help them fight for the survival of their culture and their way of life, both threatened by Nato's proposed flight training base in the area.

LES AVOCATS EN FAVEUR D'UNE CONSCIENCE SOCIALE (AFCS) offre donc aux étudiants de la Faculté la possibilité d'assister à différentes présentations sur des sujets toujours d'actualité et d'importance et surtout de s'engager dans l'élaboration et la mise sur pied d'événements spéciaux concernant des questions qui leur tiennent à coeur. Aucune exigence particulière n'est requise pour rejoindre notre groupe et toute idée et initiative sera toujours accueillie avec joie. Le succès de notre groupe ne sera jamais que le résultat des efforts et de l'enthousiasme de ses membres et c'est pourquoi nous désirons t'inviter à te rejoindre à nous. Nous croyons que nous en sortirions sûrement gagnants et que tu pourrais également bénéficier de cette association, de la manière dont il te plaira. À bientôt!

SEMINAIRES EN DROIT CONSTITUTIONNEL (03) - Prof. deMestral cherche six (6) étudiants pour diriger des séminaires au premier trimestre en droit constitutionnel. Il faut rencontrer les étudiants pendant un (1) heure chaque semaine; préparer la rencontre (au moins 2 heures) et me rencontrer pendant 30 minutes chaque semaine. Le règlement de la faculté prévoit 2 crédits. Un séminaire sera en anglais et les autres seront en français. Prière de me faire parvenir vos C.V. le plus tôt possible. Bon dossier universitaire et intérêt pour le droit constitutionnel nécessaires. Les séminaires commenceront la semaine de 10 septembre. 3674 Peel, 398-6643.



### Cont'd from p.1

taught here, but so were from day one roman law, international law, French law and legal history...

Le fait même que je m'adresse à vous aujourd'hui tour à tour en anglais et en français est caractéristique de ce que nous sommes. C'est un comportement qui pourrait sembler bizarre dans certaines parties du monde, ou même certaines parties du pays, mais qui est ancré dans nos habitudes à la faculté. Presque tous ici comprennent sans peine les deux langues officielles du Canada, plusieurs les possèdent couramment et depuis plus d'un siècle la même tolérance linguistique a toujours été de mise à la faculté...

We are a fine faculty but we make no claim to being perfect. One of our current problems is our Law Library. It has a good collection. Indeed, several segments of it are unique in North America (and I am not talking about Quebec law). But unfortunately, the building is cramped and the collection has eaten up most of the space. Better than the opposite, mind you.

Let me make a comparison with another fine institution, with which we have many affinities, the Faculty of Law at the University of Toronto. Their library was built in 1962, ours in 1967-8. Five years of difference. Theirs was not air-conditioned, ours is, but in a manner which you can only describe as erratic. U. of T. is currently building a new Law Library, an elegant building, which I visited again this week, and which is expected to open next year as the Bora Laskin Law Library. The scope of this project has driven students and library staff to other temporary locations for the last three years. Well, that will not happen to you, even though we intend to build a new library; and if everything goes according to plans, we should move into it in five (six?) years. By then, you will have graduated, and no doubt you will give generously as alumni. It is the thought that counts, of course;

remember, however, that as in most things, there are degrees of thoughtfulness. Meanwhile, I am afraid that you will find our library rather spartan. Which is excellent to focus the mind...

### II. Who are you as a class

You are the Class of 1993, or 1994, depending on the programme you have chosen to complete...

There is an almost equal number of men and women among you. You come from all parts of Canada, from British Columbia to Newfoundland, but several of you, more than usual, come from other countries, particularly the United States and the United Kingdom. There seems to be a preference for united countries among you...

Ceux d'entre-vous qui résident habituellement au Québec nous viennent de Montréal, Jonquières, Hull, Roberval, Odanak, Québec, Laval... Neuf provinces canadiennes sont représentées ici ce matin, quelques-uns nous arrivent de St-Jean à Terre-Neuve, Calgary en Alberta et Iqaluit dans le Territoires du Nord-Ouest. En somme, vous avez beaucoup voyagé pour m'entendre ce matin et je vous en remercie.

On est frappé aussi par la diversité de vos parcours intellectuels...

Diversité des formations de même que des professions exercées. Il y a parmi vous 1 comédien, 4 travailleurs sociaux, 1 comptable, 1 actuaire, 1 géophysicien, 3 ingénieurs, 2 musiciens professionnels, l'un qui joue du violoncelle et l'autre du hautbois, deux instrument qui du reste s'harmonisent très bien.

You know, I am sure, that there cannot be such a thing as an over-educated lawyer. If I may say so, however, for a group of non-lawyers, you come very close to being just that. There are five PhD's in this class and thirty among you have completed graduate degrees. I will not

enumerate your subjects for this speech would turn into a list of lists. Let me simply say that the range is very broad and goes from management to Chinese history to physics...

Apparently last year's entering class was in slightly better shape than you are. We had a medallist from the Commonwealth Games, another one from the World Games, and one national Junior 100 meter champion. A number of you have made their mark in Varsity sports, but there are no medallists. So shape up.

III. What should you expect from the study of law? or What will we be doing together?...

The demand for law, today in the world, law as we know it in the West, is probably greater than ever before. You know what events took place last year in Europe, events which for someone of my age, and I am not that old, were extraordinary. In three months, the world changed. Suddenly the bad guys were no more, whichever way you looked at it, whoever your bad guys were. And it is significant, for example, that once the Berlin Wall had fallen, many of the pressing issues which arose found their expression in legal terms: basic public and private law questions of status, citizenship, property, currency and other forms of social ordering...

Increasingly, around the world, there is a demand for law and an almost blind faith in law...

But it would be a mistake to confuse the study of law with the discovery of rules.

You will, of course, right from the outset, learn some rules. Such as the fact that no food is tolerated in the library, or that parking is strictly forbidden in the faculty driveway. I myself take an especially dim view of unauthorized parking in the faculty driveway. But rules are not really what matter most in your legal training. More important in the beginning is the

Cont'd on p.8



### Dean's Speech...

#### Cont'd from p.7

terminology you will be taught, chiefly this year, and then the several different analytical skills you will develop, such as the ability to draw analogies between complex factual patterns, a particular kind of rigour in the use of language, persuasiveness in an argument but never at the expense of accuracy. And in due course you will become increasingly aware that some invariants, buried in the law, matter more than rules. You will enter the world deep-thought law...

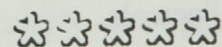
D'ici quelque mois, un an peut-être, ce que j'essaie de vous expliquer ici vous paraîtra la banalité même. Et vous commencerez à vous intéresser à ce que l'on pourrait appeler la perspective externe sur le droit. La perspective, ou plus exactement, les perspectives externes sur le droit, parce qu'il y en a plusieurs. Chacune, à sa manière, tente de mettre en lumière les constantes auxquelles je viens de faire allusion, de dégager l'essentiel dans le grand désordre de règles qui, dit-on, nous régit. L'une des plus anciennes de ces perspectives externes est celle du droit comparé, une discipline qui a toujours eu ses lettres de noblesse dans cette faculté-ci...

Je terminerai en laissant parler quelques faits. Il y a une semaine jour pour jour se concluait dans cette salle le XIIIème Congrès international de droit comparé. L'Académie internationale de droit

comparé a son siège à La Haye, aux Pays-Bas, mais ses membres, titulaires ou associés, viennent de 49 pays différents. Tous les quatre ans (entre les Jeux Olympiques, mais pas besoin de stade pour faire de droit comparé) ces membres se réunissent en Congrès. Il se trouve que le Président nouvellement élu de l'Académie est mon collègue le professeur Paul-André Crépeau. Mardi prochain à 9h00, certains d'entre vous commenceront ici-même et avec lui l'étude du droit des obligations. Le Congrès qui l'a élu a produit 658 rapports nationaux, sur 34 thèmes allant de "La diffusion des modèles juridiques" jusqu'à "L'insolvabilité transfrontalière" en passant par "Le constitutionalisme". Comme vous le voyez, beaucoup de choses viennent se passer ici. Vous êtes maintenant de la maison et à compter d'aujourd'hui il n'en tiendra qu'à vous d'en profiter.

I have no doubt that you will like it here. After all, I do. I have no doubt also that you will feel intellectually challenged - sometimes, perhaps, a bit too challenged, particularly in the days immediately before exams. But again, all of this is perfectly normal. I am delighted to welcome you all and now it is time to get on with your legal education.

Thank-You.



## Plus grand que nature

de Maryse Beaulieu

Je ne sais trop encore de quoi sera faite cette chronique, de quels atours elle se parera. Cet écrit se veut toutefois la toile de fond sur laquelle j'esquisserai mes propos.

Et l'on m'assigne la culture, impossible à définir, qui ressurgit des confins les plus inattendus, souvent absente de ce qui, en principe, devrait l'incarner, méfiante à l'égard des institutions, émergeant parfois de terre inculte, s'abreuvant à toute les sources. Bref, quelque chose d'omnipotent qui me fait trembler de désarroi.

Devant cette créature, je ne veux qu'être témoin et, à ce titre, vous rapporter ici et là quelques cailloux que j'aurais pris soin de polis afin de les faire briller à vos yeux.

Special Coffee House - Sept. 13! Come say goodbye to Anne from SAO. After nine years of dealing with snivelling, complaining, demanding, uncourteous and generally miserable law students, Anne Faray is moving on to greener pastures in the McGill community. If you are a law student, you know Anne so come out and wish her well. She doesn't enjoy being the centre of attention but that's too bad. A gift will be presented at 5:15 pm so Come One, Come All!!

## PROTEXT Reg'd.

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